Government
of South Australia

Ministerial Review of Bushfire Management in South Australia

Minister for Emergency Services

Final Report

23 July 2007

FOREWORD

23 July 2007

Hon Carmel Zollo MLC
Minister for Emergency Services

Dear Minister,

I have pleasure in submitting to you the Report on the Ministerial Review of Bushfire Management in South Australia for your comment.

The Review was prompted by the Wangary Bushfire of 2005 and has addressed the Terms of Reference and the recommendations from Project Phoenix and the Independent Inquiry conducted by Dr Bob Smith.

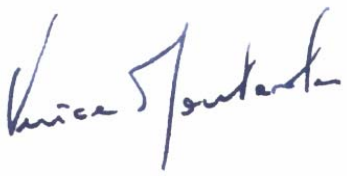
The Report represents the extensive community and stakeholder consultation that has occurred. A total of thirty-eight submissions were received, with further comment from the 146 people that attended the community meetings across South Australia.

The key outcomes of the Review are summarised as follows:

- Planning based on risk;
- Bushfire Planning linked to Emergency Management Planning;
- Two rather than three-tiered committee system;
- Local community and Local Government involvement maintained;
- Expanding Prevention, Preparedness, Response, Recovery (not just prevention);
- Accountability of the Chief Officer of SACFS;
- Clear linkages between the committees;
- Allows for community involvement;
- Expanded the number of stakeholders;
- Proposing a Code of Practice;
- Proposing accredited self-regulation for some fire management activities;
- Streamlining processes for prescribed burning;
- Proposing incentives for “best in class” and “best practice”;
- Agreed on a number of principles (individual and community resilience).

The Review recommendations are predominately of a strategic or policy nature, many of which will require amendments to the *SA Fire and Emergency Services Act and Regulations 2005*.

Yours sincerely,



VINCENT MONTEROLA AFSM
Chairperson
Ministerial Bushfire Management Review Reference Group
SA Fire and Emergency Service Commission Board

EXECUTIVE SUMMARY

In late 2006, the Minister for Emergency Services, the Honourable Ms Carmel Zollo MLC, commissioned a review of bushfire management in South Australia. This review was commissioned to address the Wangary Bushfire, 2005 prevention recommendations from Project Phoenix (SA Country Fire Service Internal Review) and the Independent Review by Dr Bob Smith. In addition, bushfire prevention requirements established under the *SA Fire and Emergency Services Act 2005* have not been subjected to a formal review for more than 20 years.

The review has acknowledged the importance of bushfire management in South Australia, recognising that the achievement of reduced bushfire risk and community sustainability and resilience is brought about by a number of elements, not just prevention. This represents a major paradigm shift to a comprehensive approach to bushfire management through prevention, preparedness, response and recovery.

The major causes to the challenges within the current system were identified as Limited Clarity (Including definition of purpose and who does what, when and why?); Limited Framework (Standards, Policies, Guidelines, Procedures and reporting); Limited Capacity (Competing levels of service, resource allocation) and Limited Capability (Competencies in bushfire management).

The current three-tiered bushfire prevention framework established under the *SA Fire and Emergency Services Act 2005* is to be improved by substituting it with a two-tiered bushfire management framework, consisting of the State Bushfire Coordination Committee and a number of Bushfire Management Committees. Bushfire Management Plans based on risk will be developed, implemented and reviewed, incorporating a broader perspective on bushfire management values and local knowledge through an expanded number of stakeholders and increased community engagement. The link with the Emergency Management framework will be strengthened by a comprehensive approach of bushfire management of prevention, preparedness, response and recovery strategies.

In addition to a change to the bushfire management framework in South Australia, recommendations have been made on Codes of Practice, accreditation for a self-regulated burning permit process, a reward scheme and a streamlined native vegetation approval process.

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INTRODUCTION

1. Purpose

The purpose of this report is to make recommendation following a Ministerial Review of Bushfire Management in South Australia.

The recommendations were developed by the Ministerial Bushfire Management Review Reference Group in response to submissions from bushfire management stakeholders following an invitation to comment and submissions from the wider community from the website and from a series of community meetings.

2. Vision

“Bushfire risks are managed, individuals are ready, the community is resilient”

3. Objectives

3.1. Individuals, families, organisations and owners of infrastructure understand the risk to them from bushfire. They understand what their role is to be "bushfire ready" and have taken appropriate actions to be "bushfire ready".

Being ‘bushfire ready’ will involve the development, practice and maintenance of plans that reflect what must be done before, during and after bushfire to protect individuals, families and property.

3.2. Investment in bushfire management and land-use planning is based on risk (damage/loss from fire).

3.3. Bushfire management is based on successfully engaging with individuals, families, communities and organisations.

3.4. Bushfire management planning occurs at a number of levels. Key levels of bushfire planning are at the organisational level, the landscape level and the individual level.

3.5. Government and the SA Country Fire Service (as the bushfire hazard leader) are aware of risk trends over time across the state. This will include aspects of research, prevention planning, preparedness planning, response planning and recovery planning.

4. Review in Brief

In late 2006, the Minister for Emergency Services, the Honourable Ms Carmel Zollo MLC, commissioned a review of bushfire management in South Australia.

This process has addressed the bushfire prevention issues from the Wangary Bushfire raised by Project Phoenix (SACFS Internal Review) and the Independent Review by Dr Bob Smith.

The review was conducted by a small reference group of bushfire management stakeholders. Membership as follows:

- Mr Vince Monterola, SA Fire and Emergency Service Commission, *Chairperson;*
- Mr Euan Ferguson, SA Country Fire Service;
- Mr Geoff Knight, Minister for State and Local Government Relations Nominee;
- Mr Andrew McKeegan, State and Local Government Relations, *Proxy;*
- Mr David Hitchcock, Local Government Association;
- Mr Peter White, SA Farmers Federation;
- Mr Ken Schutz, SA Volunteer Fire Brigades Association;
- Mr Rick Underdown, Forestry SA;

- Mr Mike Williams, Department for Environment and Heritage;
- Mr Bill Davies, Department for Water, Land and Biodiversity Conservation;
- Mr Chris Dearman, Minister for Emergency Services Nominee;
- Mr Tim Davis, SA Country Fire Service, *Executive Officer.*

A key outcome of the review is a bushfire management framework that reflects best practice; engages and involves those who have a stake in community safety; improves the bushfire safety of the community; and minimises damage to those things that are valued by the community.

5. Bushfire Management - Definition

"All activities associated with the management of fire prone public and private land to meet public safety and land management objectives."

6. Terms of Reference

6.1. Develop recommendations for the Minister on options for bushfire prevention and management in South Australia.

6.2. Recommend on the utility of developing a Code of Practice for bushfire safety. Recommendation to describe the scope of issues to be addressed, the class of land ownership and categories of activity affected.

6.3. Recommend options for auditing and reporting mechanisms on the effectiveness and efficiency of fire prevention activities.

6.4. Recommend options for engagement and involvement of individuals, public and organisations in the community.

6.5. Recommend options for ensuring that investment in fire prevention activities is efficient.

6.6. Recommend options for various roles and responsibility and accountability for planning, implementation, reporting and auditing of programmed works.

6.7. Recommend options for a planning framework that ensures a seamless transition from prevention to preparedness to response and to recovery.

6.8. Recommend options that may be available that result in significantly better involvement of vulnerable communities. This includes recommendations for incentives for desirable behaviours and penalties for undesirable behaviours.

7. Review Plan

7.1. *Determine the Scope* – Ensure that the Reference Group and stakeholders know what needs to be achieved by completing an interpretation of the terms of reference, establishing bushfire management terminology and determining a vision and objectives for the review.

7.2. *Study the Current Situation* – Ensure that bushfire management stakeholders and the community have an opportunity to contribute to the outcomes by seeking formal submissions. Review relevant literature and research and learn from similar interstate agencies by conducting formal interviews.

7.3. *Analyse the Information* – Determine the nature of the problem and any problems with legislation, policy or standards. Develop alternative strategies to reduce or eliminate problems or promote continuous improvement.

7.4. *Consultations* – Provide a website online tool to solicit feedback from the community and conduct a series of community public meetings across South Australia.

7.5. *Recommend and Report* – Develop and deliver a report of recommendations to the Minister for Emergency services by 30 June 2007.

8. Recognition of Related Projects

The MBMR Reference Group has considered a number of other projects and reports both from South Australia and interstate, which have a direct relationship with the MBMR Project. These include:

- Project Phoenix – SA Country Fire Service Lessons Learnt from the Wangary Bushfire, January 2005;
- Independent Review of Circumstances Surrounding the Eyre Peninsula Bushfire – Dr Bob Smith Report;
- Project Vulcan – SA Country Fire Service Recommendations for Strengthening Individual and Community Involvement following the Wangary Bushfire;
- Integrated Municipal Fire Management Planning Project – Country Fire Authority, Victoria;
- NSW Rural Fire Service Bushfire Management Committee Handbook;
- Council of Australian Governments Bushfire Mitigation and Management Inquiry, January 2005 (COAG BMMI).

9. Current Situation

The Fire and Emergency Services Act, 2005 was introduced on October the 1st 2005 replacing the *Country Fires Act, 1989*. The *Country Fires Act* was modelled on the fire management legislation in Victoria at that time.

9.1 Bushfire Prevention Committees

The South Australian Bushfire Prevention Advisory Committee (SABPAC), defined in Section 71, is a Ministerial Advisory Committee responsible for:

- The provision of advice to the Minister on the bushfire hazard in the State;
- Providing a forum for discussion of bushfire prevention issues.

Each of the six SA Country Fire Service Regions has a Regional Bushfire Prevention Committee (RBPC), defined in Section 73, which is responsible for:

- Assessment of fire hazards in the region;
- Coordination of bushfire prevention planning in the region;
- Making recommendations about bushfire prevention to relevant authorities within, or adjacent to the region;
- Consulting with adjacent regional committees and cooperating with District Bushfire Prevention Committees (DBPC) in the region;
- Advising the SABPAC on relevant matters.

These Committees report to the SACFS Chief Officer and are required to provide an Annual Report in June each year.

Each of the councils in rural areas of the State is required to establish a District Bushfire Prevention Committee, defined in Section 75, which is responsible for:

- Assessment of fire hazards in the area;
- Advising relevant authorities in the area about bushfire hazard removal;
- Development of a District Bushfire Prevention Plan for the council area;

- Consulting with adjacent district committees and cooperating with the Regional Bushfire Prevention Committee;
- Formulation of guidelines for the issue of permits in the area;
- Reporting to the Regional Bushfire Prevention Committee in May and October each year.

South Australia has a three-tiered bushfire prevention planning structure consisting of the SA Bushfire Prevention Advisory Committee, the Regional Bushfire Prevention Committee, and the District Bushfire Prevention Committee. Although there is a reporting responsibility between the District Bushfire Prevention Committee and the Regional Bushfire Prevention Committee and the SACFS Chief Officer, there is no direct reporting link from the Regional or District Bushfire Prevention Committees to the SA Bushfire Prevention Advisory Committee.

In addition, each local council is required to appoint a suitably qualified Fire Prevention Officer (FPO) for that council under Section 77. Whilst all councils have complied with this, there are very few which have matched the position requirements to the level of bushfire risk.

It is acknowledged that there are examples where this part of the legislation is working. However, this more as a result of council dedicated financial resources because they have the rate base to do this. It is therefore important that any changes to bushfire management structure are accompanied with the required leadership to maintain attitude and culture.

9.2 Bushfire Hazard Management

Sections 83, 84 and 85 of the *Fire and Emergency Services Act, 2005* define the responsibilities for the prevention of bushfires on private, council and crown land within the rural areas of South Australia. Where the owners of private land fail to meet their legislative responsibility for bushfire prevention, local government have the power under Section 83 to issue hazard reduction notices to require specified work to be undertaken.

The process allows for a local council to specify the types of bushfire hazard reduction work to be undertaken and provides for an appeal process if a landholder believes they have been unjustly served with a notice. Strengthened enforcement processes for hazard reduction on private land were introduced in 2003 with the inclusion of expiation notices for failure to comply with the requirements of a hazard reduction notice.

Hazard reduction notices cannot be issued to remove bushfire hazard on council or Crown land.

10. What are the challenges?

The challenges are based on the comments from community meetings and submissions received from bushfire management stakeholders and the community.

10.1 Bushfire Prevention Committees at all levels are not appropriately integrated;

10.2 Bushfire Prevention Committees at all levels have inconsistent and /or poor engagement, cooperation and communication with relevant organisations, agencies and the community;

10.3 Bushfire Prevention Plans at all levels do not treat the risk and there is limited community buy-in, monitoring or improvement;

10.4 Bushfire Management Data and Information are not consistently used to make planning decisions;

10.5 Bushfire Management Resources (Human, physical and financial) are not matched to the needs and requirements;

10.6 Bushfire Management Legislation, Policy, Standards, Responsibilities and Procedures are not understood, inconsistent and require integration.

10.7 Individuals and the community are not provided with consistent support to become sustainable and resilient to bushfire.

10.8 Current Bushfire Management Legislation does not achieve the desired bushfire safety behaviours.

An analysis of these challenges was completed to understand the causes within the current system. The common themes are:

- Limited Clarity (Including definition of purpose and who does what, when and why?);
- Limited Framework (Standards, Policies, Guidelines, Procedures and reporting);
- Limited Capacity (Competing levels of service, resource allocation);
- Limited Capability (Competencies in bushfire management).

These four themes form an important basis in defining the recommendations for improvement.

11. Review Principles

The following principles have been adopted and have been considered in the development of the recommendations:

11.1. The Bushfire Management framework will have an appropriate and well-defined link with the *Emergency Management Act 2004.*

11.2. The efforts of agencies, organisations and the community will be coordinated through an integrated approach of prevention, preparedness, response and recovery activities.

11.3. Bushfire Management planning frameworks will be consistent with the Australian Standard for Risk Management - AS/NZS 4360:2004.

11.4. SA Country Fire Service will take a bushfire risk leader role in improving the capacity and capabilities of individuals and the community by reinforcing and strengthening programs to develop, practice and maintain plans that describe what must be done before, during and after bushfire.

11.5. Decisions will be based on peer-reviewed research (where available), particularly that of the Bushfire CRC (Cooperative Research Centre).

11.6. Project recommendations will be considered in the context of environmental management principles.

11.7. Incident Management Systems, SA Country Fire Service operations management, aviation resources, fire suppression training, infrastructure and equipment are considered to be out of the scope for this review.

RECOMMENDATIONS

12. Bushfire Management Framework

The current three-tiered bushfire prevention framework established under the *SA Fire and Emergency Services Act 2005* is to be improved by substituting it with a two-tiered bushfire management framework, consisting of the State Bushfire Coordination Committee and a number of Bushfire Management Committees. Bushfire Management Plans based on risk will be developed, implemented and reviewed, incorporating a broader perspective on bushfire management values and local knowledge through an expanded number of stakeholders and

increased community engagement. The link with the Emergency Management framework will be strengthened by a comprehensive approach of bushfire management of prevention, preparedness, response and recovery strategies.

Recommendation 12.1

The SA Bushfire Prevention Advisory Committee established under section 71 of the *SA Fire and Emergency Services Act 2005,* is removed and replaced with the State Bushfire Coordination Committee.

Recommendation 12.2

The requirement to establish Regional Bushfire Prevention Committees under section 73 of the *SA Fire and Emergency Services Act 2005,* is removed.

Recommendation 12.3

The requirement for a rural council to establish a District Bushfire Prevention Committees under section 75 of the *SA Fire and Emergency Services Act 2005* is removed.

Recommendation 12.4

The requirement for a rural council to appoint a suitably qualified Fire Prevention Officer under section 77 of the *SA Fire and Emergency Services Act 2005* is removed.

Recommendation 12.5

The requirement to establish a Bushfire Management Committee is inserted into the *SA Fire and Emergency Services Act 2005.*

13. State Bushfire Coordination Committee

Recommendation 13.1

The State Bushfire Coordination Committee will have the following functions:

Develop policy, procedures, codes of practice and standards for bushfire management in South Australia;

Develop, implement and monitor the State Bushfire Management Plan, which will be the Bushfire Hazard Plan under the *Emergency Management Act 2004;*

Governance and performance monitoring of bushfire management activities;

Ensure that there is state-wide coordination and integration of all bushfire management activities;

Provide advice, guidance and direction on policy for Bushfire Management Committees;

Convene an Annual Forum for Bushfire Management Committees;

Resolve disputes at the Bushfire Management Committee level;

Constitutes and determines the area of responsibility of a Bushfire Management Committee;

May, at any time, establish advisory groups;

Make recommendations to the Minister;

Report to Minister on matters referred by Minister;

Reports to the Minister for Emergency Services through the SA Fire and Emergency Services Commission Board.

The State Bushfire Management Plan model be developed in cooperation with the State Mitigation Advisory Group, under the Emergency Management Act 2004.

Governance and performance monitoring is an important role of this committee. The Reference Group gave consideration to Bushfire Management Plans being audited with standard models based on appropriate Audit Standards, after an initial implementation period for the new planning framework. It was felt that the State Bushfire Coordination Committee be responsible for determining the appropriate standards in line with National Bushfire Indicators of Good Practice.

It was discussed that a Bushfire Management Guidelines document be developed to increase consistency and understanding. This document to developed by the State Bushfire Coordination Committee when established.

How does this improve the current situation?

Provides a single reference point for strategic, coordinated and cooperative approach to bushfire management, beyond what currently exists in South Australia. This consolidates a number of existing regional and district bushfire prevention committees.

The separation that exists between prevention and response will be eliminated through establishing a comprehensive approach to bushfire management.

Provides a single State statutory body to develop State policy/plans and monitor bushfire management performance.

Provides a State statutory body to resolve disputes from other bushfire prevention committees beyond what currently exists.

A clear line of reporting and information exchange is established with Bushfire Management Committees and the State Committees and Advisory Groups established under the *Emergency Management Act 2004*.

A comprehensive approach of Prevention, Preparedness, Response and Recovery risk treatments (strategies) is a major enhancement as it recognises that reducing risk and building resilience is brought about by a combination of different elements of bushfire management. The success of one of these strategies is often reliant on the implementation of another. This approach can be applied to other hazards in South Australia.

Recommendation 13.2

The State Bushfire Coordination Committee will have the following members with experience in bushfire management:

The Chief Officer, SACFS, who is the Chairperson;

An officer of the SA Metropolitan Fire Service;

An officer from Forestry SA;

An officer of the Department of Environment and Heritage;

A person from the Local Government Association of South Australia;

A person from the Farmers Federation of South Australia;

An officer of Planning SA with bushfire-prone areas development experience;

A person from the Conservation Council of South Australia;

A person from the Natural Resource Management Council;

An officer of SA Water;

A person from the Outback Areas Community Development Trust;

A SACFS officer who is a volunteer, nominated by the Volunteer Fire Brigades Association;

An officer from the Department for Transport and Infrastructure;

An officer from SA Police;

An Executive Officer from the SA Country Fire Service.

Planning SA, Natural Resource Management Council, Outback Areas Community Development Trust, Department for Transport and Infrastructure and SA Police have been proposed as new members, with further discussions required regarding the capacity for these organisations and agencies to be able to be involved.

How does this improve the current situation?

Amended stakeholder engagement is achieved through appropriate membership of South Australia's representative land managers, bushfire managers and community groups.

Planning SA has been included as a new member, recognised as an important bushfire management stakeholder through the administration of the building in bushfire prone areas requirements under the *Development Act 1993.* Stakeholder and community comment supported a greater enhancement of the strategic policy issues and relationship between the relevant authorities in this area of bushfire management. This meets Recommendation 6.1 of the COAG BMMI to ensure that advise and statutory measures are effective.

Natural Resource Management Council has been included as a new member, recognised as an important stakeholder in the role integrated and sustainable management of the State's natural assets under the *Natural Resource Management Act 2004*.

Outback Areas Community Development Trust has been included as a new member to formally recognise the thirty-six communities in the out-of-councils areas of South Australia. This replaces the Pastoralist member on the former SA Bushfire Prevention Advisory Committee and will ensure that there is appropriate community engagement on State policy issues, which represents approximately eighty-five percent of the land area of South Australia.

Department for Transport and Infrastructure has been included as a significant land manager (road and rail network) with bushfire risk.

SA Police has been included as a new member to ensure there is effective coordination with the *Emergency Management Act 2004.*

The Bureau of Meteorology and ETSA members from the former SA Bushfire Prevention Advisory Committee are placed in an advisory function permitted under the functions of the committee because of the seasonal requirement.

Consolidates the legislative responsibility of the SA Country Fire Service Chief Officer.

14. Bushfire Management Committees

Recommendation 14.1

Bushfire Management Committees will have the following functions:

Develop, implement and monitor a Bushfire Management Plan for its area of responsibility;

Forum for discussion and familiarisation between organisations, agencies and individuals, leading to cooperative and coordinated bushfire management;

Forum for discussion between the community and organisations/agencies;

Monitoring and reporting bushfire management activities to the State Bushfire Coordination Committee;

Collaborative community education and consultation;

Refer issues and recommendations with wider policy implications to the State Bushfire Coordination Committee;

Required to meet quarterly with a period of time set aside that is devoted as "question-time' for individuals and the community;

Required to hold a minimum of one community forum each year;

Reports to the State Bushfire Coordination Committee.

Bushfire Management Risk Plans will be written with the reader and user in mind and be free of complex terminology and irrelevant content.

Bushfire Management Plans model to be in a modular format that is not inconsistent with that of the Local Government Development Plan model. There is scope for the SA Country Fire Service investigating Bushfire CRC Program A 4.1: Fire Management Business Model as a bushfire risk management decision support system that underpins the Bushfire Management Planning Framework.

Bushfire Management Plan model to be developed by the State Bushfire Coordination Committee.

Draft Bushfire Management Plans will be displayed in the community for a statutory time period to allow for community comment.

How does this improve the current situation?

Improved forum for discussion and familiarisation between organisations, agencies and individuals, leading to cooperative and coordinated bushfire management.

Plans are produced as a result of wider stakeholder and community engagement, incorporating a broader perspective on bushfire management values and local knowledge.

Planning does not discriminate against land ownership, land tenure or agency or the organisation's area of responsibility.

Improving the readability of plans will take them beyond a technical document used by agencies and organizations, to something that can be understood by the community in order for them to become resilient and sustainable.

Annual Community Forum and community question time at the Quarterly Meetings allows further engagement of the community and the opportunity for further transparency of bushfire management performance. Community can participate in the planning process and offer input to the Bushfire Management Risk Plan during the statutory public display period.

Policy development issues can be discussed in a landscape context and the information exchanged to other areas of South Australia via a statutory committee (State Bushfire Coordination Committee).

Community education strategies can be developed based on an understanding of the needs and expectations of the local community. This will ensure that the correct mix of education and awareness is applied across the landscape.

A clear link is established with the State Bushfire Coordination Committee and Zone Emergency Management Committees, established under the *Emergency Management Act 2004*.

Better application of human and financial resources previously devoted to six Regional Bushfire Prevention Committees and fifty-one District Bushfire Prevention Committees.

Duplication of planning, analysis and reporting is removed with the loss of the multiple Regional Bushfire Prevention Committees.

A comprehensive approach of Prevention, Preparedness, Response and Recovery risk treatments (strategies) is a major enhancement as it recognises that reducing risk and building resilience is brought about by a combination of different elements of bushfire management. The success of one of these strategies is often reliant on the implementation of another. This approach can be applied to other hazards in South Australia.

Risk Management approach allows for risk treatments to be assigned based on the likelihood of impact and consequences in a specified location, thus providing the best framework for strategic and operational decisions. The standard provides a generic framework, which agencies and organisations are familiar with and is nationally accepted. This meets Recommendation 4.1 of the COAG BMMI.

Recommendation 14.2

Bushfire Management Committees will have the following members who reside and/or are employed/assigned in the area of responsibility, with experience in bushfire management:

A regional officer of the SA Country Fire Service;

A senior SACFS officer(s), who is a volunteer, nominated by the Volunteer Fire Brigades Association, with a maximum of two;

A local government officer(s), nominated by the relevant Regional Local Government Association, with a maximum of two;

An officer of the SA Metropolitan Fire Service, where applicable;

An officer from Forestry SA, where applicable;

An officer of the Department of Environment and Heritage, where applicable;

A landholder recommended by the Farmers Federation of South Australia;

An officer of South Australian Police;

An officer from the Department of Transport and Infrastructure, where applicable;

A person nominated by the Natural Resource Management Board(s);

An officer of SA Water, where applicable;

A person nominated by the community;

Any other member with relevant bushfire management experience approved by the State Bushfire Coordination Committee;

An Executive Officer from the SA Country Fire Service.

How does this improve the current situation?

SA Metropolitan Fire Service has been included as a new member to ensure consistent management of risk across the entire landscape.

Natural Resource Management Board has been included as a new member to capture issues associated with soils, water, plants and animals and the diversity of ecosystems.

Community nomination has been included as a new member to capture values, beliefs and social norms to ensure the most appropriate strategies for sustainability and resilience can be applied within the Bushfire Management Committee area of responsibility.

SA Police has been included as a new member to ensure there is effective coordination with Zone Emergency Management Committees under the *Emergency Management Act 2004.*

Appointing members with relevant bushfire management experience improves capability of committee.

Recommendation 14.3

Bushfire Management Committees be given the appropriate powers under the *SA Fire and Emergency Services Act 2005* to ensure that bushfire management strategies that have been identified in a Bushfire Management Plan or any other action to reduce bushfire risk, are completed by individuals, the community, agencies or organisations.

Stakeholder and community meeting comment was consistent in its view that the current District Bushfire Prevention Committees do that have the appropriate powers under the SA Fire and Emergency Services Act 2005 to ensure what needs to be done is done.

How does this improve the current situation?

Increase in the accountability for bushfire management strategies and other actions to be completed. Stakeholders have commented that there is very little accountability for individual and agencies to conduct the requirements for bushfire management.

Recommendation 14.4

The area of responsibility for Bushfire Management Committees will be established based on bushfire risk and the capacity of the area to cooperate and collaborate.

The boundaries of Bushfire Management Committees will be sympathetic to State Government Regional Boundaries established under the Government Reform Commission.

Establishment in this manner is a significant paradigm shift to a landscape approach to Bushfire Management.

How does this improve the current situation?

Bushfire Management Committees have flexibility in their area of responsibility leading to more appropriate and more effective application of resources.

Based on bushfire risk, therefore there are transparent boundaries for all land manager and bushfire management agencies and organisation's area of responsibility. Bushfire Risk Management is applied to all of South Australia's bushfire prone area.

Reduction in number of prevention committees with the new Bushfire Management Committees replacing the current six Regional Bushfire Prevention Committees and all the District Bushfire Prevention Committees.

Encouraging closer community linkage, liaison and working relationships between all levels of Government.

15. Bushfire Management Responsibilities

Recommendation 15.1

SA Country Fire Service to be responsible for Bushfire Management Plan preparation, analysis of future risks trends based on investigation and executive support to Bushfire Management Committees.

SA Country Fire Service currently provides an advisory role for local government to implement bushfire prevention. Local Government currently has the direct responsibility for planning and executive support under the SA Fire and Emergency Services Act 2005.

Recommendation 15.2

Local Government to be maintained as an important component of bushfire management in South Australia because of the link with the community.

This will be maintained through representation on the State Bushfire Coordination Committee, Bushfire Management Committees and enforcement and compliance of provisions of Fire and Emergency Services Act and Regulations 2005 (hazard management).

How does this improve the current situation?

Bushfire Management planning and analysis rests with the lead agency for bushfire risk.

Increase in the capacity and capability for Bushfire Management Plans to translate risk into action.

Increase in capacity and capability for Bushfire Management Committee decisions.

Maintaining Local Government Natural Disaster responsibilities by representing community interests and contributing to the decision-making process at the Bushfire Management Committee level.

16. Codes of Practice

Recommendation 16.1

The principle of developing Codes of Practice for Bushfire Management, referenced in the *SA Fire and Emergency Services Act* and *Regulations 2005* be endorsed and further developed by the State Bushfire Coordination Committee.

Stakeholder and community comment supported a cooperative approach to fire management through Codes of Practice, so long as they did not replace legislation.

The Code of Practice should be developed by the State Bushfire Coordination Committee and have local conditions developed by Bushfire Management Committees.

How does this improve the current situation?

A Code of Practice contains a level of detail and interpretation, which cannot be covered with legislation, increasing individual and community understanding.

The development through a participatory process is more likely to result in desirable bushfire safety behaviours.

Can be flexible in that local conditions can be applied according to risk.

A Code of Practice can be more easily and regularly updated, ensuring that new research or technology can be quickly incorporated.

There is community buy-in rather than the need to moving to legislation.

17. Hazard Management

Recommendation 17.1

The current provisions for permit to light and maintain fire under Section 81 of the *SA Fire and Emergency Services Act* and *Regulations 2005* to be reviewed for improvement with an accreditation for a self-regulation process.

Self–regulation to include provisions for a bushfire risk self-assessment and basic training by individuals associated with the burning for cropping stubble and native vegetation (hazard management /diversity maintenance).

There was strong community comment regarding the inflexible legislation associated with permits for burning. It was stated that the system is far too time-consuming for local government, despite the high degree of responsibility for the permit holder. The Act specifically identifies the responsibilities in lighting or maintaining a fire in the open, and that the terms and conditions of a permit are conditional, and that as it is most probable that the conduct of the property owner or person at the scene of the fire would be the cause of any escape and therefore liability.

It was also discussed there is an opportunity for increasing volunteer membership by aligning the basic training to modules, or part thereof in current SA Country Fire Service curriculum.

The State Bushfire Coordination Committee to lead the development of a Hazard Management Policy that applies to individuals, community, agencies and organisations.

How does this improve the current situation?

Bushfire hazard management rests with the lead-agency for bushfire risk.

No need to train and accredit Authorised Officers for issuing permits.

Administration at the local level is significantly reduced.

Greater focus on the individuals conducting the burning, rather than officers completing the requirements to issue a permit.

Ability to link with an approved Code of Practice.

18. Incentives and Penalties

Recommendation 18.1

The SA Country Fire Service investigates the establishment of a Minister's Bushfire Risk Management Reward Scheme.

The Reference Group discussed that the current penalties including the use of expiation of offences is appropriate. It was felt that a reward scheme, could greatly enhance bushfire management within the community. The reward scheme with the provision of annual bushfire equipment incentives is likely to encourage broader participation within landscape areas of South Australia.

Options that could be considered are cash grants, provision of minor fire fighting equipment and recognition of individuals, community groups and businesses.

How does this improve the current situation?

Introduction of an incentive scheme to encourage community participation in bushfire management activities on properties.

An opportunity for the community to showcase local bushfire management activities, initiatives and programs, which are "best in class" or "best practice".

Opportunities for knowledge networking and continual improvement in community bushfire management.

Acknowledges that we have diversity in the achievement of the desired bushfire safe behavior.

19. Native Vegetation

Recommendation 19.1

The State Bushfire Coordination Committee work with the Native Vegetation Council to develop more streamlined processes for the prescribed burning of native vegetation for hazard reduction.

Submissions and community meeting comment have strongly reinforced that there are still challenges associated with the approval process for burning of native vegetation for hazard/biodiversity management under the Native Vegetation Act 1993. Few were aware that the Native Vegetation Council had established a Fire Sub-group.

It his clear that landholders find the approval process to be poorly defined with a large administrative burden on the individual.

Some State Government agencies have stated that the precautionary principle of fire as a mechanism of clearance under the Native Vegetation Act and the associated approvals required by in some instance leaders in the field of prescribed burning, has the potential to put at risk the values of diversity, safety and economic benefits that they seek to maintain through sustainable management practices.

It is important to recognise the current situation in NSW where approvals of this nature are dealt with by way of a one-stop-shop. Environmental certification administered by the NSW Rural Fire Service is completed for prescribed burning and other development activities, without the administrative confusion of satisfying the requirements of numerous pieces of legislation.

How does this improve the current situation?

Efficient and effective system for undertaking hazard reduction activities.

Reduction in community complaints associated with native vegetation issues.

20. Coronial Findings

Recommendation 20.1

The SA Country Fire Service to analyse the Coroner's Report into the Wangary Bushfire 2005, and consider the relevant recommendations from this report in the implementation of the Ministerial Bushfire Management Review recommendations.

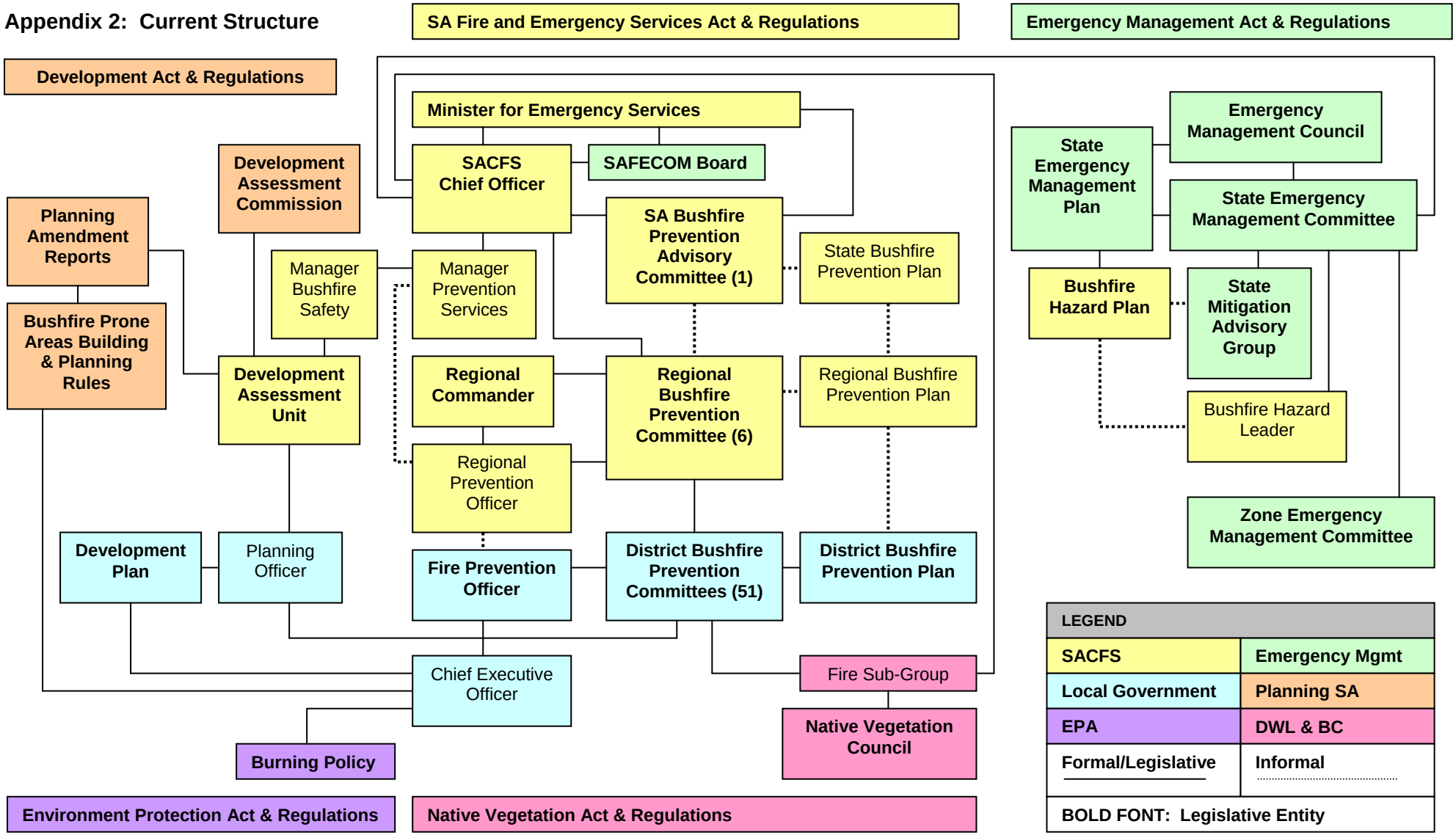
The Coronial Inquest into the deaths of nine people during the Wangary Bushfire on 11January 2005 commenced in November 2005 and concluded in May 2007. It is anticipated that the Coroner will hand down his findings in the later half of 2007. Whilst every effort has been made to incorporate lessons learned and take account of evidence given it is prudent that the timing of the Coroners Report allow for further scrutiny, prior to any legislative changes.

APPENDIXES

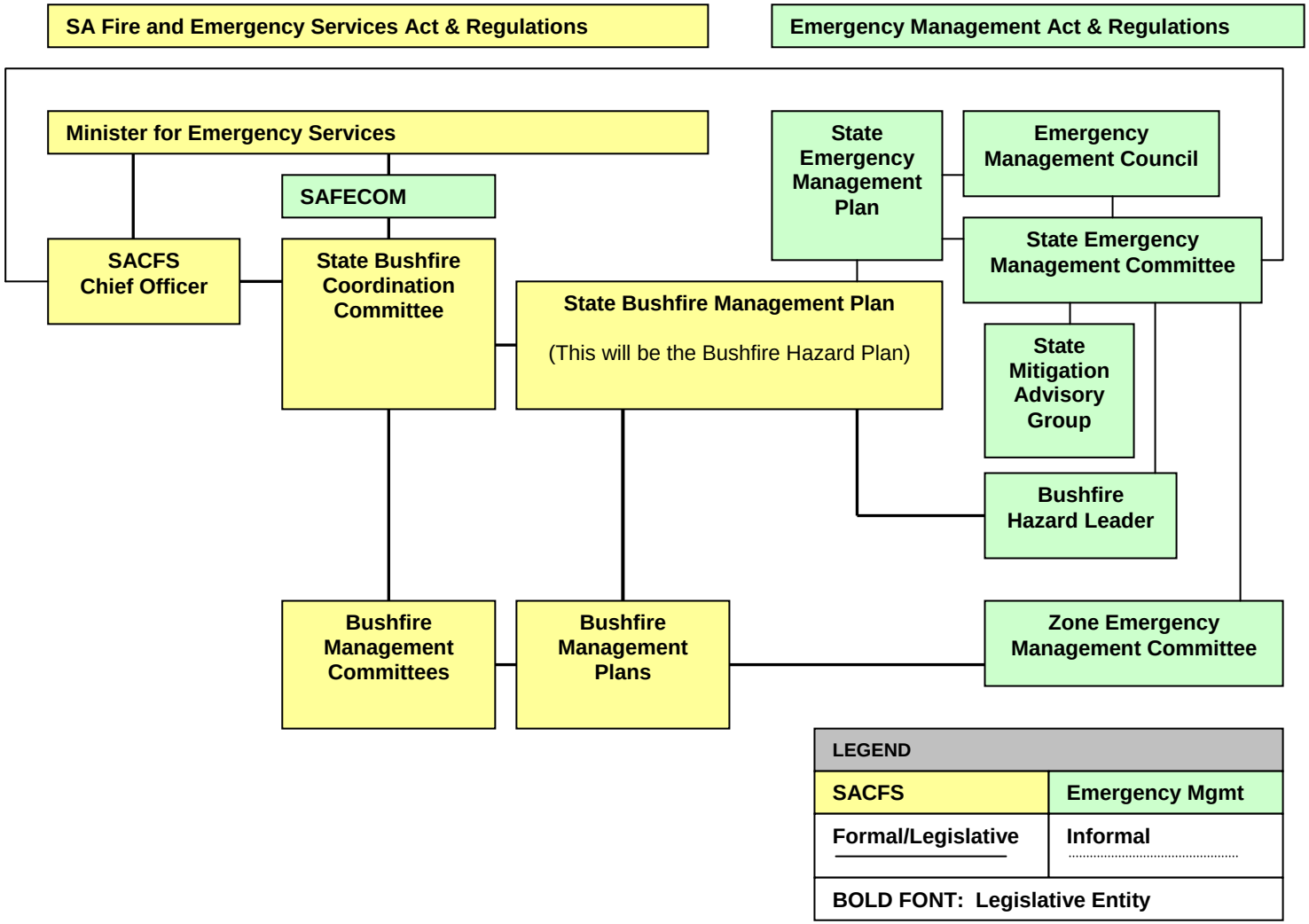
Appendix 1: Addressing the Terms of Reference

Terms of Reference (ToR)	Review Recommendation to meet ToR
1. Bushfire management	Rec 15, 17, 18
2. Codes of Practice	Rec 14
3. Auditing and reporting mechanisms	Rec 6, 8, 19
4. Engagement of individuals, community organisations and agencies	Rec 6, 7, 8, 9, 11, 13
5. Efficiency in bushfire prevention investment	Rec 6, 8, 10, 11, 12, 19
6. Roles, responsibility and accountability for planning, implementation, reporting and auditing of programmed works.	Rec 6, 8, 10, 12, 13
7. Planning framework that ensures seamless transition from prevention to preparedness to response and to recovery	Rec 6, 8
8. Involvement of vulnerable communities	Rec 14, 16

Appendix 2: Current Structure



Appendix 3: Proposed Structure



Appendix 4: List of Submissions

1. SA Bushfire Prevention Advisory Committee
2. SA Government Agencies Fire Liaison Committee
3. Department for Environment and Heritage
4. Department for Families and Communities
5. Department for Premier and Cabinet - Aboriginal Affairs and Reconciliation
6. Di Delaine – Pt Lincoln
7. Don Loller – Karoonda
8. Kelly Menadue – Mt Gambier
9. SA Fire and Emergency Services Commission
10. Lower Eyre Peninsula Fire Prevention Discussion Group
11. Advisory Board of Agriculture
12. SACFS Region 6 Fire Prevention Officers
13. SACFS Prevention Services
14. Karen Hewett – Mt Osmond
15. SA Farmers Federation
16. Department for Transport, Energy and Infrastructure
17. Kangaroo Island Council, District Bushfire Prevention Committee
18. SA Water
19. Department for Education and Children's Services
20. Great Southern Limited (Kangaroo Island)
21. SACFS Regional Prevention Officers
22. City of Onkaparinga District Bushfire Prevention Committee
23. Environment Protection Authority
24. Forestry SA
25. Department of Water, Land and Biodiversity Conservation
26. District Council of Grant, Fire Prevention Officer, Harry Lindner
27. Regional Council of Goyder, District Bushfire Prevention Committee
28. Robert Myers – Birdwood
29. Tumby Bay SACFS Group Officer, Quentin Russ
30. Brian Calderwood – Pt Lincoln
31. Barry Wright - Burra
32. Gaye Preece – Golden Grove
33. Susan West – Victor Harbour
34. Dennis Page – Mt Gambier
35. South Australian Police
36. Peter Hammond – Echunga
37. District Council of Cleve
38. Native Vegetation Council

Appendix 5: Review Plan

Ministerial Bushfire Management Review
Review Plan Summary
6 December 2006

Stage 1: Scope

Establish Multi-agency Reference Group

Terms of reference interpretation

What are we trying to achieve?

Relationship to values, mission and vision

Stage 2: Initial engagement/Study the current situation (by end of March 2007)

Communications strategy

Who are the key stakeholders?
- Stakeholder invitation to respond to review

Current situation

Information gathering

Learning from other jurisdictions
- Victoria (Country Fire Authority)
- NSW (NSW Rural Fire Service)

Stage 3: Analysis (by end of April 2007)

What is the data telling us?

What is the nature of the problem?

Consolidate key success factors and measures of effectiveness

What are the legislative anomalies?

What are the alternatives?

Develop an initial discussion paper outlining proposals and options for bushfire management

Stage 4: Consultation (by week 4, May 2007)

Conduct consultation on the initial discussion paper, 7 days

Thursday 17 May	1300-1500	Wudinna, Wudinna Emergency Services
	1900-2100	Tumby Bay, Tumby Bay RSL Hall
Monday 21 May	1900-2100	Kangaroo Island, Kingscote RSL Hall
Wednesday 23 May	1300-1500	Clare, Clare Valley Motel
	1900-2100	Pt Augusta, Sporting and Social Club

Thursday 24 May	1300-1500	Kadina, Kadina TAFE
Monday 28 May	1300-1500	Karoonda, Karoonda Football Club
	1900-2100	Berri, Berri Town Hall
Wednesday 30 May	1000-1200	Nuriootpa, Nuriootpa FC Clubrooms
	1400-1600	Woodside, Woodside Council Chambers
	1900-2100	Mt Barker, Auchendarroch House
Thursday 31 May	1300-1500	Keith, Keith Institute
	1900-2100	Mt Gambier, Group Training Employment

Stage 5: Documentation (by end of June 2007)

Complete Position Paper for the Minister for Emergency Services

What are the actions (recommendations)?

How will these prevent the causes to the problem?

Appendix 6: Reference Group Meeting Schedule

The Reference Group convened approximately every fortnight from 1330-1600 hours

1. 15 November 2006
2. 7 December 2006
3. 30 January 2007
4. 13 February 2007
5. 27 February 2007
6. 13 March 2007
7. 27 March 2007
8. 24 April 2007
9. 8 May 2007
10. 22 May 2007
11. 8 June 2007 (Full-day Planning Workshop)
12. 19 June 2007